

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Case: 5:23-cr-20445
Judge: Levy, Judith E.
MJ: Altman, Kimberly G.
Filed: 08-01-2023 At 03:46 PM
INDI USA V. SEALED MATTER (KB)

UNITED STATES OF AMERICA,

Plaintiff,

v.

Violations:

21 U.S.C. § 841(a)(1)

18 U.S.C. § 922(o)

DEVON TOSOIAN,

Defendant.

_____ /

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

21 U.S.C. § 841(a)(1)

Possession of Methamphetamine with Intent to Distribute

On or about July 13, 2023, in the Eastern District of Michigan, the defendant, DEVON TOSOIAN, knowingly and intentionally possessed with intent to distribute a controlled substance, specifically, a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

18 U.S.C. § 922(o)
Illegal Possession of a Machine Gun

On or about July 13, 2023, in the Eastern District of Michigan, the defendant, DEVON TOSOIAN, knowingly and intentionally possessed a machine gun, that is one (1) Polymer80, 9mm handgun equipped with a Glock conversion switch, in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

FORFEITURE ALLEGATIONS

21 U.S.C. § 853; 18 U.S.C. § 924(d); 28 U.S.C. § 2461
Criminal Forfeiture

The allegations contained in Counts One and Two of this Indictment are incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853, and Title 18, United States Code, Section 924(d) together with Title 28, United States Code, Section 2461.

Upon conviction of the offense alleged in Count One of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

Upon conviction of the offense alleged in Count Two of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) together with Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in or used in the knowing commission of the offense, including, but not limited to, the following: one (1) Polymer80, 9mm handgun equipped with a Glock conversion switch, and all related ammunition.

Substitute Assets: If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property that cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c).

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson
Grand Jury Foreperson

DAWN N. ISON
United States Attorney

s/ Hank Moon for
Brandy R. McMillion
Chief, General Crimes Unit
Assistant United States Attorney

s/ Nhan Ho
Nhan Ho
Assistant U.S. Attorney

Date: August 1, 2023

| | | |
|--|----------------------------------|-------------|
| United States District Court Eastern District of Michigan | Criminal Case Cover Sheet | Case Number |
|--|----------------------------------|-------------|

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

| | |
|--|------------------------|
| | Companion Case Number: |
| This may be a companion case based upon LCrR 57.10 (b)(4) ¹ : | Judge Assigned: |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | AUSA's Initials: NH |

Case Title: USA v. Devon Tosoian

County where offense occurred : Wayne

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

☒ Indictment/ ☐ Information --- no prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number:]
☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

| <u>Defendant name</u> | <u>Charges</u> | <u>Prior Complaint (if applicable)</u> |
|-----------------------|----------------|--|
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

August 1, 2023

Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.